

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

-----: Atty. Ref.: MA-KUZ-P4
In Re U.S. Patent Application Of:

KUZUU

Application No.: 10/733,475

Filed: December 10, 2003

Title: NAIL CLIPPER FOR PETS W/ CURVED ... EDGES

-----: February 7, 2006

AFFIDAVIT OF LEIGHTON K. CHONG

I, the undersigned, LEIGHTON K. CHONG, do hereby affirm and declare:

1. I am submitting this Affidavit in support of the within Request for Reconsideration of Decision Vacating Office Action in the above-identified U.S. Patent Application.
2. On or about April 1, 2005, in conjunction with my joining a new firm and moving to a new street address, I logged on to the USPTO Private PAIR website and attempted to enter a change of address for PTO correspondence in cases bearing my PTO Customer Number 26793, as follows:

Old Address: Ostrager Chong Flaherty & Broitman
841 Bishop Street, Suite 1200
Honolulu, HI 96813

NEW ADDRESS: GODBEY GRIFFITHS REISS & CHONG
1001 Bishop St., Pauahi Tower Suite 2300
Honolulu, HI 96813

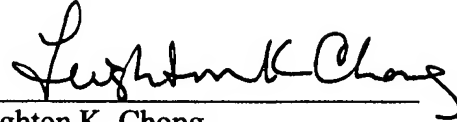
3. For some unexplained reason, the PTO PAIR website malfunctioned and resulted in addressing mail to me in the April to early May 2005 period with the following address:

PTO Bad Address: Ostrager Chong Flaherty & Broitman
1001 Bishop St., Pauahi Tower Suite 2300
Honolulu, HI 96813

4. As a result of the PTO address change facility malfunctioning, the PTO correspondence in the April to early May 2005 period to my Customer Number 26793 combined my old firm name with my new address, and none were delivered to either firm.
5. As a result of this PTO Office error, I believe the Notice of Allowance mailed from the PTO in the identified Application on May 3, 2005, was misaddressed and undeliverable to me at either office location (my old firm continues to forward all mail sent to the old address to me). Therefore, my failure to respond to the Notice of Allowance was due to Office error, and not any fault of mine. Sometime in mid-May 2005, after hearing from several PTO sources of misdirected mail in my cases, I went back on the PAIR website and again entered my address change, and PTO mail since then has been directed to my correct address.
6. On August 2, 2005 (see copy of my notes enclosed), I spoke with a Ms. Washington from the PTO who had noticed that the mailing to me in the identified Application had been returned to the file. I explained to her what I thought had happened with the PTO erroneous addressing. She told me that she would mark the case to have a corrected Notice of Allowance issued. This conversation occurred within the original 3-month response period to the original, misaddressed Notice of Allowance which I had not received.
7. Apparently, on or about December 8, 2005, Ms. Washington's action caused a Corrected Notice of Allowance to be generated. I have not received this Corrected Notice of Allowance. The Decision now vacates this Corrected Notice of Allowance.
8. Due to PTO Office error, it is requested that the Corrected Notice of Allowance be issued to my correct address listed again below and the date for response restarted to the present date.
9. I declare that all statements made of my own knowledge are true and that all statements made upon information and belief are believed to be true, and that I am aware that willful false

statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C.
1001, and may jeopardize the validity of the patent herein.

Dated: Feb. 7, 2006



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MAR 10 2005

DATE: March 10, 2005

TO: Exr. Kenneth E. Peterson
Group AU 3724, U.S. Patent Office

Fax No.: (703) 872-9306

FROM: Leighton K. Chong
Fax No.: (808) 531-7585

PAGES: 6
incl. this sheet

Notice of Allow mailed
5/3/05, sent to
corrupted address
to Ms. Washington,
(571) 272-4397
on 8/2/05, she will
have NOA sent w/
re-start date

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RE: Amendment of Claims:
U.S. Patent Appln 10/733,475

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